

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RAMOOE, INC.,

Plaintiff,

Index No. 13-cv-01045-SLT-VMS

-against-

THE CITY OF NEW YORK, a Municipal Corporation  
of the State of New York, and the NEW YORK CITY  
DEPARTMENT OF HOUSING PRESERVATION  
AND DEVELOPMENT, an agency and governmental  
subdivision of the City of New York,

Defendants.

NOTICE OF PENDENCY

*DOCKETED*  
*MAR 24 2013*  
*KING COUNTY CLERK*

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NOTICE IS HEREBY GIVEN that the above-captioned action has been commenced and is now pending in the United States District Court for the Eastern District of New York upon the complaint of the plaintiff against the defendants in relevant part for a judgment declaring and decreeing that the Order of the Supreme Court of the State of New York, County of Kings, entered in the proceeding titled Matter of Broadway Triangle Urban Renewal Area, Phase II, Index No. 22528/99 on August 12, 1999, and recorded in the Office of the City Register on January 9, 2007 with Document ID number 2007010800193003 (the "Acquisition Order"), to the extent that it ordered title to the property located at 43 Bartlett Street, Brooklyn, New York 11206, designated as Block number 2269, Lot number 45 on the land map of Kings County (the "Plaintiff's Property") to vest in the City of New York, should and shall be vacated, and that such title to the Plaintiff's Property shall re-vest in the Plaintiff. The aforesaid Plaintiff's Property affected by this action is situated entirely within the County of Kings and is bounded and described as follows:

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situated, lying and being in the Borough of Brooklyn, City of New York, County of Kings, State of New York, designated as Block number 2269, Lot number 45 on the land map of Kings County.

Dated: New York, New York  
February 28, 20013

KUCKER & BRUH, LLP  
Attorneys for Plaintiff

By:

  
Abner T. Zelman  
747 Third Avenue  
New York, New York 10017  
Telephone: (212) 869-5030

TO THE CLERK OF THE COUNTY OF NEW YORK:

You are hereby directed to index the within notice to the names of each of the following defendants:

The City of New York

NYC Department of Housing Preservation and Development

The number of each block on the land map of the county of Kings which is affected hereby is as follows:

Block number 2269, Lot number 45

Dated: New York, New York  
February 28, 20013

KUCKER & BRUH, LLP  
Attorneys for Plaintiff

By:

  
Abner T. Zelman  
747 Third Avenue  
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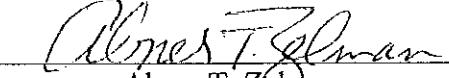
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DECLARATION OF  
ABNER T. ZELMAN

ABNER T. ZELMAN declares as follows pursuant to 28 U.S.C. §1746:

1. I am an attorney of counsel to the law firm of Kucker & Bruh, LLP ("K&B"), attorneys for plaintiff Ramooe, Inc. ("Ramooe" or the "Plaintiff") in the above-captioned case, and I make this declaration to explain the omission of the metes and bounds description of the property referenced in the annexed Notice of Pendency, designated as Block 2269, Lot 45 on the land map of the Borough of Brooklyn, County of Kings (the "Property").
2. The metes and bounds description of the Property is omitted from the annexed Notice of Pendency because such description could not be found, although due diligence was applied in seeking to obtain it. Specifically, I personally searched the Automated City Register Information System ("ACRIS") on which all title records pertaining to real property within the City of New York are recorded, and reviewed all deeds and other property records that were recorded with respect to the Property, none of which records were found to contain the metes and bounds description of the Property.

3. I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 1, 2013.

  
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Abner T. Zelman